

PTO/SB/61 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

3916/59156-082

First named inventor: Peter Guthmann

Group Art Unit: 3725

Application Number: 09/654,149

Examiner: J. Nguyen

Filed: September 1, 2000

Title: Actuating Mechanism for the Functional Elements in a Round Baler

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☐ small entity - fee \$_____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ other than small entity - fee \$110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Response to Final Office Action (identify the type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$_____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity of \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

April 17, 2003

Date

Telephone
Number: (309) 637-4900

David A. Chambers
Signature

David A. Chambers
Typed or printed name

Husch & Eppenberger, LLC, 401 Main Street, Suite 1400
Address

Peoria, IL 61602-1241

Enclosures: ☐ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay

☒ Authorization to charge deposit acc't

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 305-6976.

April 17, 2003
Date

David Chambers
Signature

David A. Chambers
Typed or printed name of person signing certificate

PTO/SB/61 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

April 17, 2003
Date

David Chambers
Signature

David A. Chambers
Typed or printed name

(in the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

We received a Final Office Action for the above-identified patent application on 21 October 2002. We prepared a Response to the Office Action. On 16 December 2002, we filed the Response along with a check for \$84.00, two copies of a transmittal letter, a copy of Fig. 1 of the US patent to Schaible, and an acknowledgement card detailing the contents of the filing. We received the acknowledgement card by mail on 23 December 2002. Attached hereto is a copy of the acknowledgement card. Please note the Patent and Trademark Office stamp. Attorney Bob Muir received a telephone call from Examiner Nguyen on 17 April 2003 notifying him that the application had gone abandoned. Applicants submit that the the patent application was unavoidably abandoned and respectfully request that the application be revived.

(Please attach *additional sheets* if additional space is necessary)